

0-10-36

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING THE OVERBROOK  
RESTRICTED PARKING DISTRICT; DECLARING AN  
EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Section 4.2.3 of Ordinance No. 8128 ("the Parking Regulations"), as amended by Ordinance Nos. 8195, 8196 and 8212, provides that organizations having legal authority over real property in the City may apply to establish a Restricted Parking District with increased regulation of parking within their legal boundary; and

WHEREAS, on April 27, 2010, Jeff Smith submitted an application on behalf of Overbrook Property Owner's Association ("Overbrook POA") stating under oath that he is the legal representative of Overbrook POA, that Overbrook POA has requested the establishment of a Restricted Parking District in the manner provided by Overbrook POA's procedures, that Overbrook POA has legal authority over the geographic area described in Exhibit "A" attached hereto and incorporated herein, and that Overbrook POA requests the following rules be imposed:

(A) No parking on front or side yards;

(B) No parking commercial vehicles; and

WHEREAS, a public hearing to determine the merit of establishing Overbrook Restricted Parking District was set for May 24, 2010 during a regularly scheduled meeting of City Council where persons both for and against the establishment of the district could speak; and

WHEREAS, the City desires to provide residents the ability to increase parking regulations by the establishment of parking districts in order to preserve the aesthetic appearance, historic quality and property values of their neighborhoods.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the application of Overbrook Property Owner's Association ("Overbrook POA"), attached hereto as Exhibit "A", to establish a Restricted Parking District is in proper form and that notice of the public hearing set for May 24, 2010 was proper (see Exhibit "B" attached hereto).

SECTION 2: That the Overbrook Restricted Parking District #3 is hereby established. The district may be referenced by its actual name, the name "Overbrook Restricted Parking District", the name "Overbrook Parking District", or such similar name that adequately reflects the imposition of additional parking rules.

SECTION 3: That the boundaries of the Overbrook Restricted Parking District #3 shall be set according to the map and list of bordering streets attached as part of Exhibit "A" and shall be concurrent with the area subject to regulation by the Overbrook POA.

SECTION 4: As provided by the City's Parking Regulations which may be amended from time to time, the additional regulations that shall apply within the Overbrook Restricted Parking District #3 are as follows:

- (A) NO PARKING ON FRONT OR SIDE LAWNS. In districts implementing this rule, it shall be unlawful for any person to park, store, or keep any vehicle on a Front or Side Lawn within the district.
- (B) NO PARKING COMMERCIAL VEHICLES. In districts implementing this rule, it shall be unlawful for any person to park, store, or keep any Commercial Vehicle within the district.

SECTION 5: That the regulations that are found in this ordinance shall not be effective until reasonable signage has been posted in consultation with the Director of North Little Rock Traffic Services.

SECTION 6: That any violations of this Ordinance shall be governed by the applicable rules within the Parking Regulation.

SECTION 7: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.


SECTION 8: It is hereby found and determined that uncontrolled parking within the Overbrook area is inhibiting the aesthetic appearance, quality, and property values of the neighborhood; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.


PASSED:

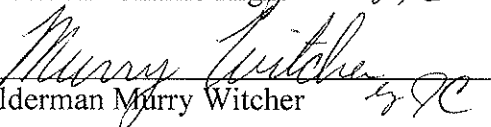
APPROVED:

SPONSORS:

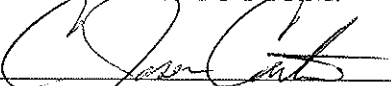
ATTEST:

  
Alderman Charlie Hight

  
Diane Whitbey, City Clerk

  
Alderman Murry Witcher

APPROVED AS TO FORM:

  
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED 11:39 A.M.            P.M.

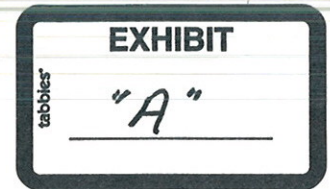
BY City Atty - Carter

DATE 5-4-10  
Diane Whitbey, City Clerk and Collector

North Little Rock, Arkansas  
RECEIVED by Robbie Dudley



APPLICATION BY ORGANIZATION\*  
FOR ESTABLISHMENT OF A  
RESTRICTED PARKING DISTRICT



**I. Applicant Information:**

In accordance with NLRMC, Sec. 4.2.3, Chapter 9 (Parking Regulations), the applicant must be an organization having legal authority over real property over real property within an area eligible to be a Restricted Parking District.

1. Organization Name	OVERBROOK PROPERTY OWNER'S ASSOCIATION
2. Mailing Address	P. O. Box 94382
3. City/State/Zip	North Little Rock, Arkansas 72190
4. Phone Number	501-753-4770
5. Email (if applicable)	aerodjb@sbcglobal.net
6. Website (if applicable)	www.overbrookpoa.com

**II. Representative Information:**

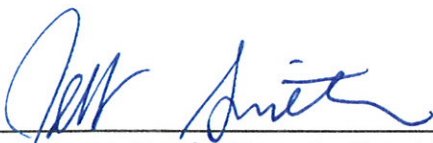
1. Authorized Representative for Organization	JEFF SMITH
2. Mailing Address	P.O. BOX 94382
3. City/State/Zip	NORTH LITTLE ROCK, ARKANSAS 72190
4. Phone Number(s)	501-753-4770
5. E-Mail	

The undersigned, as Authorized Representative for the herein named organization, does affirm that said organization has legal authority over the area proposed to be a Restricted Parking District as indicated on the attached maps and requests that the City Council of the City of North Little Rock, Arkansas establish the district and apply the rules which are identified below:

[List only rules that will apply.]

1. NO PARKING ON FRONT OR SIDE YARDS.
2. NO PARKING COMMERCIAL VEHICLES.
- 3.

Signed:

 President  
Representative for Organization Applicant

\* Organization (such as property owners association or improvement district) must have legal authority over the area proposed to be within the district and this application has been approved according to the rules of the organization.

FILED \_\_\_\_\_ A.M. 2:30 P.M.  
BY Jeff Smith  
DATE 4-27-10  
Diane Whitbey, City Clerk and Collector  
North Little Rock, Arkansas  
RECEIVED by A. Z. Bode

[over]

Restricted Parking District to be located in Ward FOUR, (4).



Description of area to be included in the Restricted Parking District: (Include all streets, etc. on all borders of the district.)

NE 1/4 AND NE 1/4 OF SE 1/4 AND UNPLATTED PART OF NW 1/4 AND UNPLATTED PART OF N 1/2 OF SW 1/4 LYING NORTH OF BLOCK 14, LAKEWOOD AND NORTH OF BLOCK 213, PARK HILL ADDITION TO NORTH LITTLE ROCK SECTION 13; AND, UNPLATTED PART OF SE 1/4 OF NE 1/4 OF NE 1/4 AND UNPLATTED PART OF E 1/2 OF OF SE 1/4 OF NE 1/4, SECTION 14, ALL IN TOWNSHIP2 NORTH, RANGE 12 WEST; AND UNPLATTED PART SE 1/4 OF SW 1/4 , SECTION 7 AND UNPLATTED PART OF SW1/4 OF SW 1/4, SECTION 7 LESS AND EXCEPT S 1/2 OF S 1/2 OF N 1/2 OF SW 1/4, SECTION 7, LYING WEST OF SUMMIT AVENUE AND UNPLATTED PART OF S 1/2 OF NW 1/4OF SW 1/4 , SECTION 7, LESS AND EXCEPT NORTH 400 FEET OF THE WEST 380 FEET OF THE SW 1/4 OF NW 1/4 , SECTION 18, ALL IN TOWNSHIP 2 NORTH, RANGE 11 WEST; AND LOTS 1,2,3,4,6, BLOCK "A", OVERBROOK ADDITION, NORTH LITTLE ROCK CITY LIMITS ONLY, PULASKI COUNTY, ARKANSAS

**Attach map showing geographic location of the Restricted Parking District.**

AFFIDAVIT

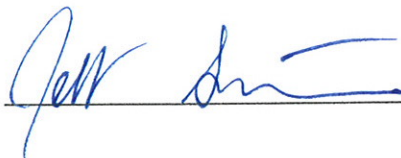
STATE OF ARKANSAS     )  
                                      ) SS.  
COUNTY OF PULASKI    )

I, JEFF SMITH, acting as Representative for the organization named herein, do hereby state, under penalty of perjury, that the said organization has legal authority over the area proposed to be within the Restricted Parking District and that this application has been approved according to the rules of said organization.

It is understand that the herein named organization will be responsible for all costs of publication for any notices as required by City Ordinances and will pay such fees in a timely manner.

Representative for Organization

Signed:



SUBSCRIBED AND SWORN TO before me, a Notary Public within and for the State and County aforesaid, this 27 day of April, 2010.

  
Notary Public

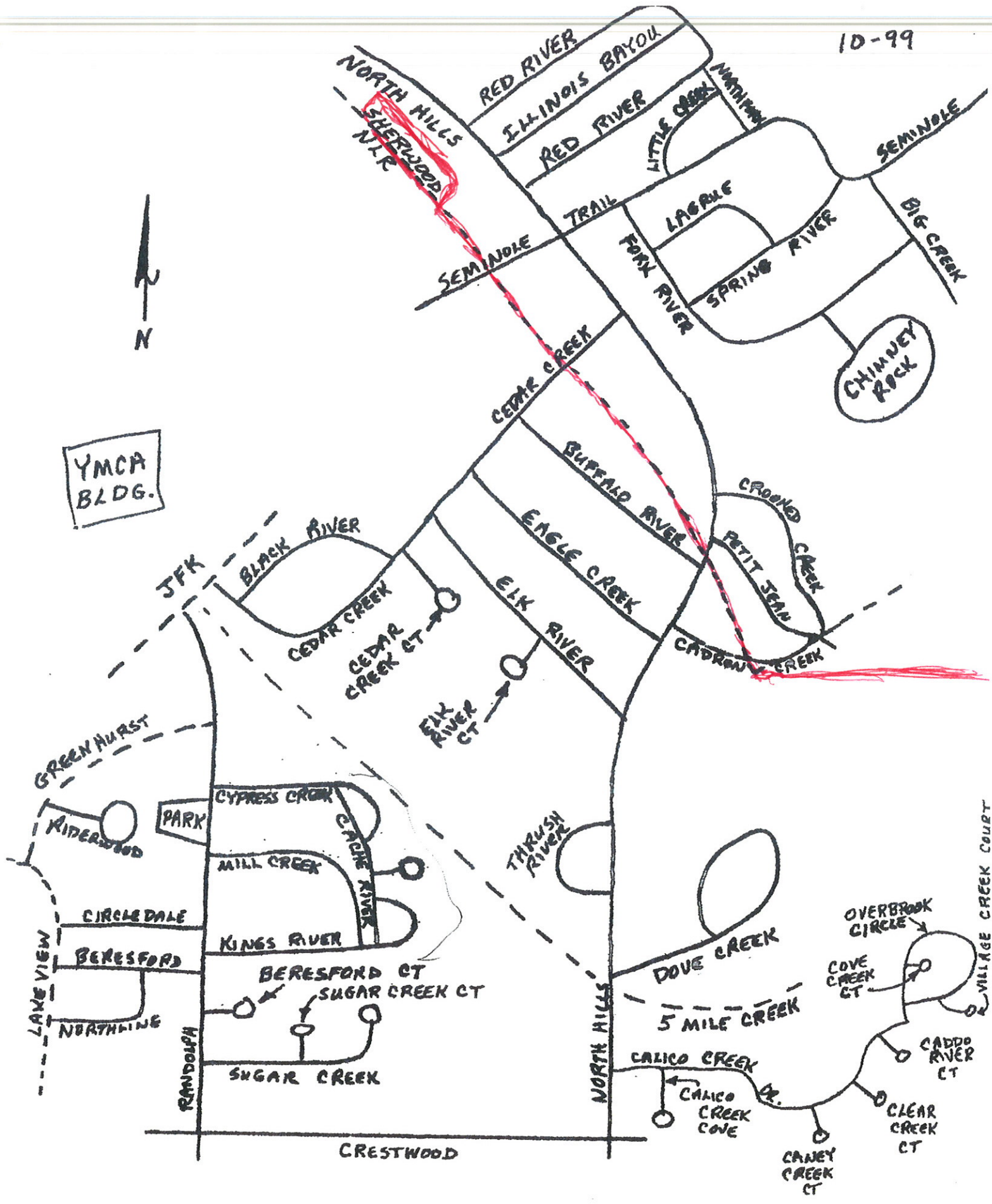
My Commission Expires: 11-15-2012



**Instructions: (No Application will be accepted unless completed in full with all required attachments.)**

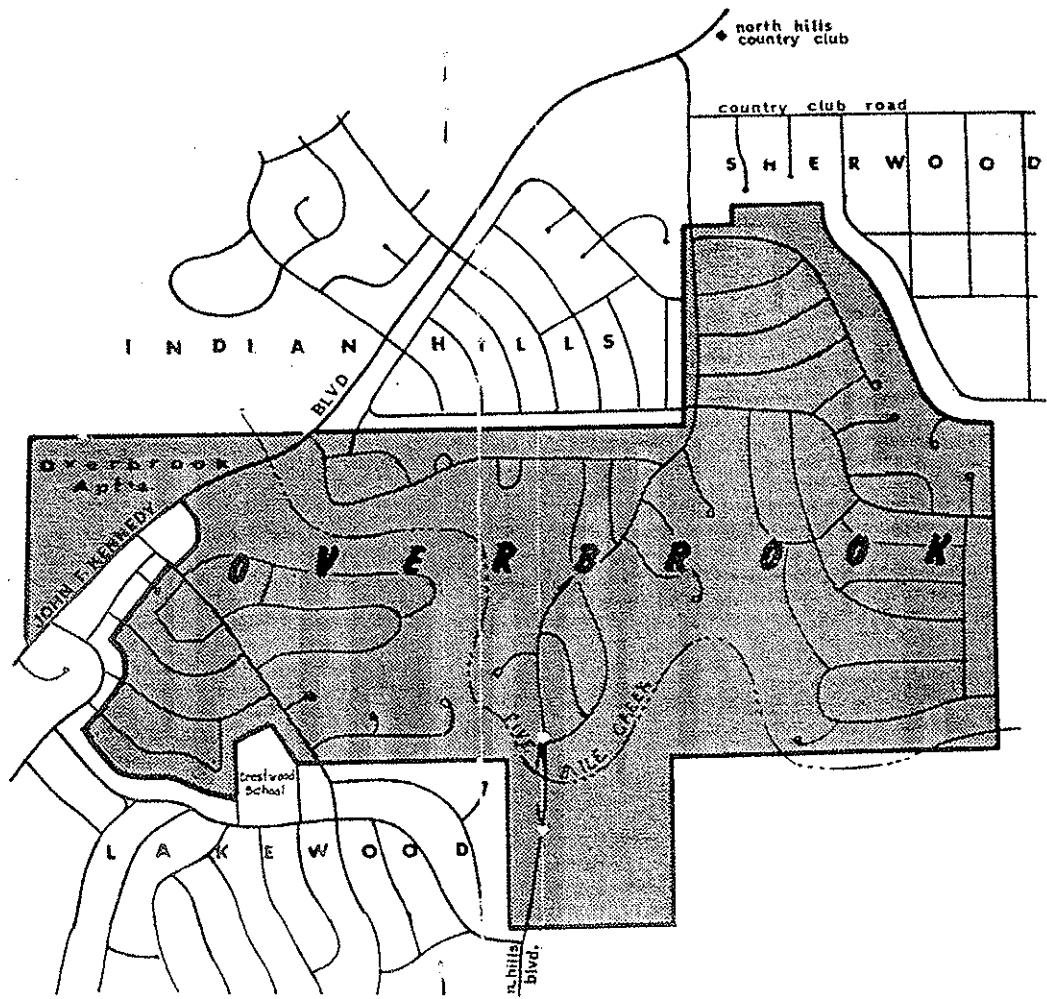
**For Applicant Organization**

1. Complete application form (including the list of rule[s], complete description of area to be included and Affidavit).
2. Select one, or no more than two, of the following rules, **and only these rules**, for application to the District:
  - (1) NO PARKING IN FRONT OR SIDE YARDS.
  - (2) NO PARKING COMMERCIAL OR LARGE RECREATIONAL VEHICLES.
  - (3) NO PARKING COMMERCIAL VEHICLES.
3. Attach map of proposed District.
4. File Application with the City Clerk's Office in City Hall.



## STREETS BORDERING THE RESTRICTED PARKING DISTRICT

Sugar Creek, Sugar Creek Court, Beresford Court, Beresford, Northline, Circledale, Riderwood, Randolph (5400 - 5808), Kings River, Mill Creek Circle, Cache River, Cache River Court, Cypress Creek, Black River, Cedar Creek, Cedar Creek Court, Elk River, Elk River Court, Eagle Creek, Buffalo River, North Hills (5001 - 5920), Thrush River Circle, Cadron Creek, Dove Creek, Calico Creek, Calico Creek Cove, Caney Creek Court, Clear Creek Court, Caddo River Court, Overbrook Circle, Cove Creek Court, Village Creek Court, Petit Jean River



AREA INCLUDED WITHIN OVERBROOK PROPERTY OWNERS' ASSOCIATION



**OFFICE OF THE CITY CLERK AND COLLECTOR**



DIANE WHITBEY  
CITY CLERK AND COLLECTOR

PHONE (501) 340-5319  
FAX (501) 340-5469

LINDA MARSHALL  
ASSISTANT CITY CLERK

CITY HALL  
P.O. BOX 5757

NORTH LITTLE ROCK, ARKANSAS 72119-5757  
[www.northlittlerock.ar.gov](http://www.northlittlerock.ar.gov)

MATTIE ROBBINS  
DEPUTY CITY CLERK

AMBER HODGE  
OFFICE ASSISTANT

**MEMORANDUM**

**TO:** The North Little Rock Times  
**FROM:** Amber Hodge, Deputy City Clerk and Collector  
**DATE:** April 28, 2010  
**SUBJECT:** Billing for Publication *ah*

Please bill the publication fee for the attached **Notice of Hearing** to:

Overbrook Property Owner's Association  
Attn: Jeff Smith  
P.O. Box 94382  
North Little Rock, AR 72190

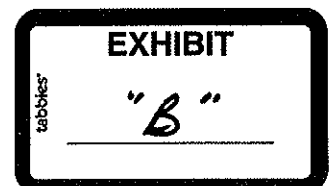
The attached Notice of Hearing states that the Overbrook Property Owner's Association has requested a Restricted Parking District be established that will create more restrictive rules over parking in the area. On May 24, 2010, a public hearing will be held at 7:00 p.m. in the North Little Rock City Council Chambers.

Please Publish ad on May 6<sup>th</sup> and May 13<sup>th</sup>, 2010.

Thanking you in advance,

cc: file

Enclosure(s)

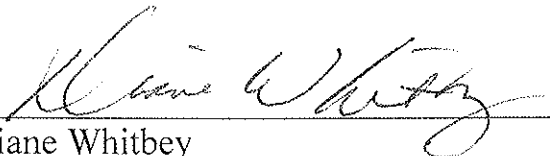


## **NOTICE OF HEARING**

All owners of real property within the following described area in the City of North Little Rock are hereby notified that an application has been filed with the North Little Rock City Clerk purporting to be signed the duly authorized representative for **Overbrook Property Owner's Association** stating that said organization has legal authority over the area proposed, which Application requests that a Restricted Parking District be established that will create more restrictive rules over parking in the area.

**Area of proposed Restricted Parking District:**  
See Attached

All owners of real property within the area are advised that said Application will be heard at a meeting of the North Little Rock City Council to be held at the hour of **7 pm** on the **24th** day of **May, 2010** and at said meeting all owners of real property within said territory who desire to be heard upon the question.

  
\_\_\_\_\_  
Diane Whitbey  
North Little Rock City Clerk and Collector